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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/572,322

10/11/2006

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EXAMINER

DIAZ, THOMAS C

ART UNIT

PAPER NUMBER

4171

MAIL DATE

DELIVERY MODE

04/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,322	Applicant(s) BASTEIN ET AL.	
	Examiner Thomas Diaz	Art Unit 4171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/17/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/17/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

The specification should not directly reference claims, because the claims can change during the examination process. The specification should include headings for the appropriate sections as described in CFR 37 § 1.77.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burkhard et al. (US patent 5722300).

Regarding claim 5, Burkhard et al. teaches a vehicle steering column (see figures below) comprising:

- an inner steering column element (fig. 3, Part #28) which accommodates a steering spindle (fig. 2, Part #18) corresponding to applicant's Item# 2 (see figures below),

- an outer steering column element (fig.3, Part #30) which is arranged radially around the inner element corresponding to applicant's item# 3,
- a sliding bush (fig.5, Part #56) corresponding to applicant's item# 4, which is connected to the outer element and which allows the inner and outer elements to be displaced with respect to one another,
- a pocketlike depression (fig.5, Part #66) corresponding to applicant's item# 5, which runs radially around the outer surface of the bush and when in the mounted state is filled with plastic by injection molding (col. 3, lines 19-21) through the opening (fig. 3, Part #86) provided in the outer element and forms a fixed connection between the outer element and the sliding bush as depicted in figure 3; the pocketlike depression extending to the axial ends of the sliding bush,
- reinforcing ribs (fig. 5, Part # 74a, 74b) for the purpose of providing structural support to the bushing corresponding to applicant's item# 8,
- the sliding bush under a prestress as explained in col. 2, lines 60-63 and col. 3, lines 3-40. The sliding bush is squeezed before being placed inside the outer element thus being prestressed in order to withstand the stresses or loads created during injection molding process and still maintain a low friction connection between the inner and outer elements.

Regarding claim 6, Burkhard et al. teaches a sliding bush with a slot extending longitudinally (fig. 5, between 68A and 68B) corresponding to applicant's item# 7,

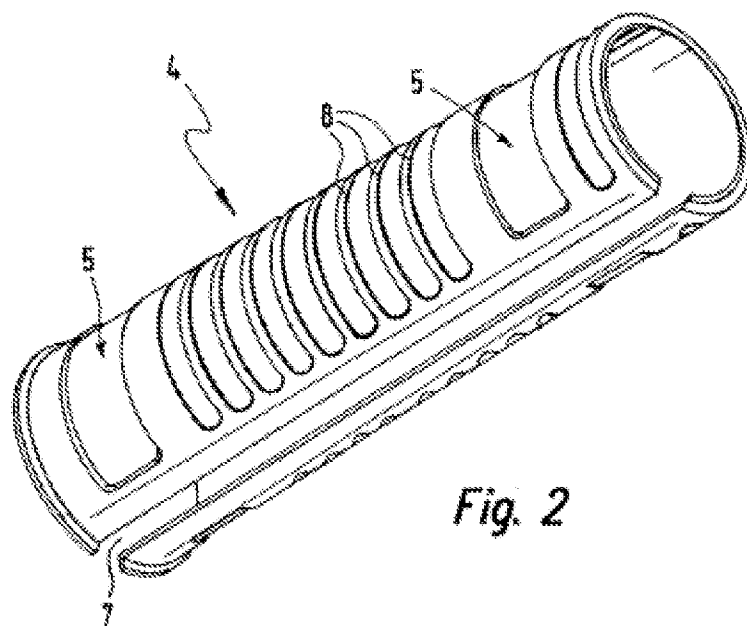
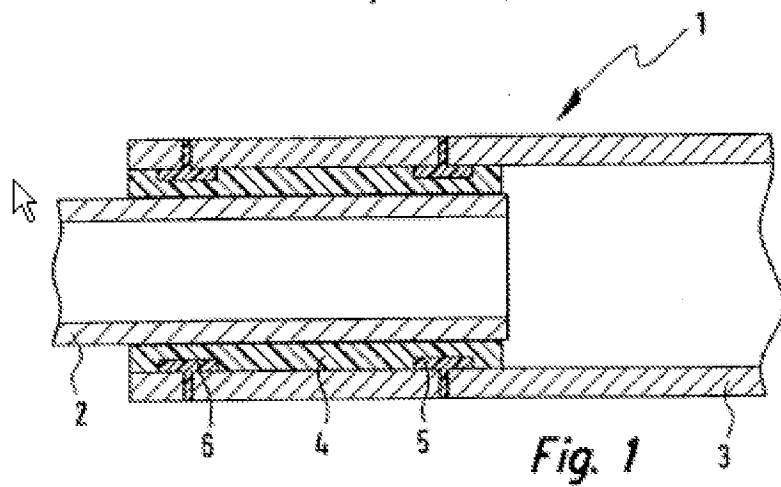
wherein the depression extends circumferentially toward both sides of the slot.

The same argument for plurality of depressions from above applies here.

Regarding claims 7 and 9, Burkhard et al. teaches a sliding bush manufactured from plastic (col.2, lines 44-45). Furthermore, in col. 4, lines 9-12 Burkhard et al. teaches that the bushing provides for a low effort sliding connection between the outer and inner elements. Although, Burkhard et al. doesn't use the wording of a low friction value, it is obvious that a low effort sliding connection would have to have a low friction value in order to facilitate the axial movement between the members.

Regarding claim 8,10, and 11, Burkhard et al. teaches an inner steering column element, outer steering column element, and sliding bush which are cylindrical in shape as depicted in figure 4.

Below are images of the applicant's disclosed apparatus:



Below are images of figures presented in Burkhard et al. and also mentioned above:

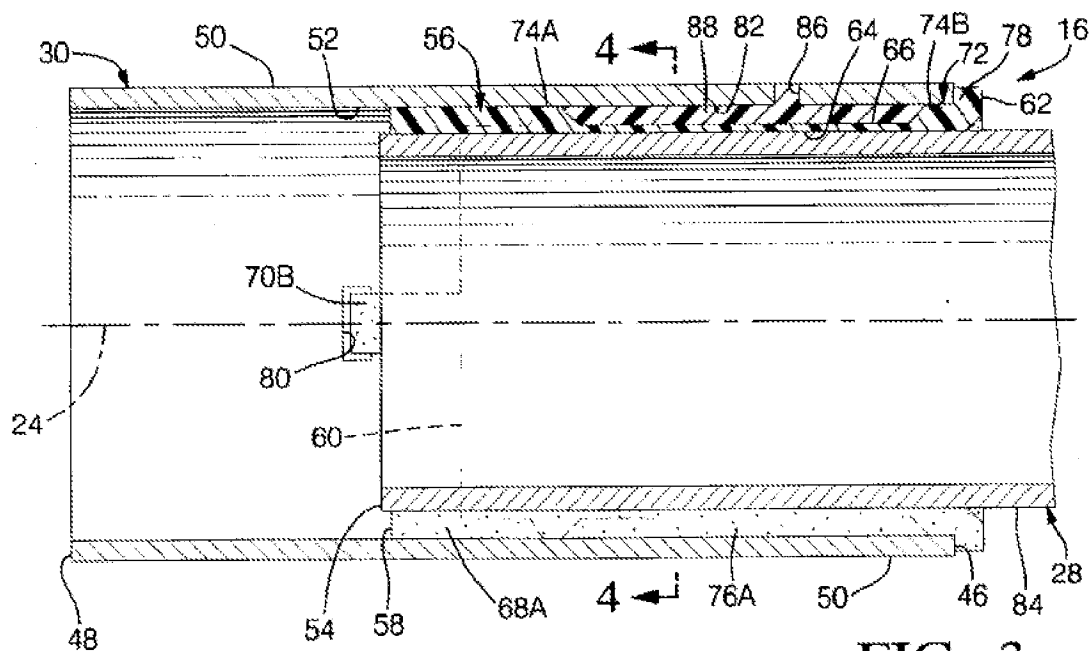


FIG. 3

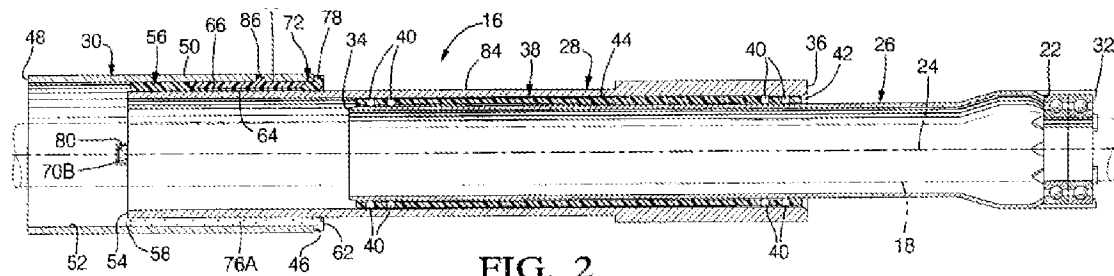


FIG. 2

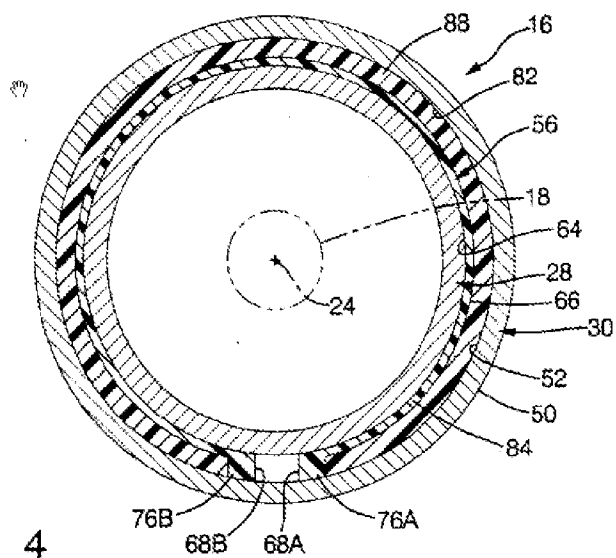


FIG. 4

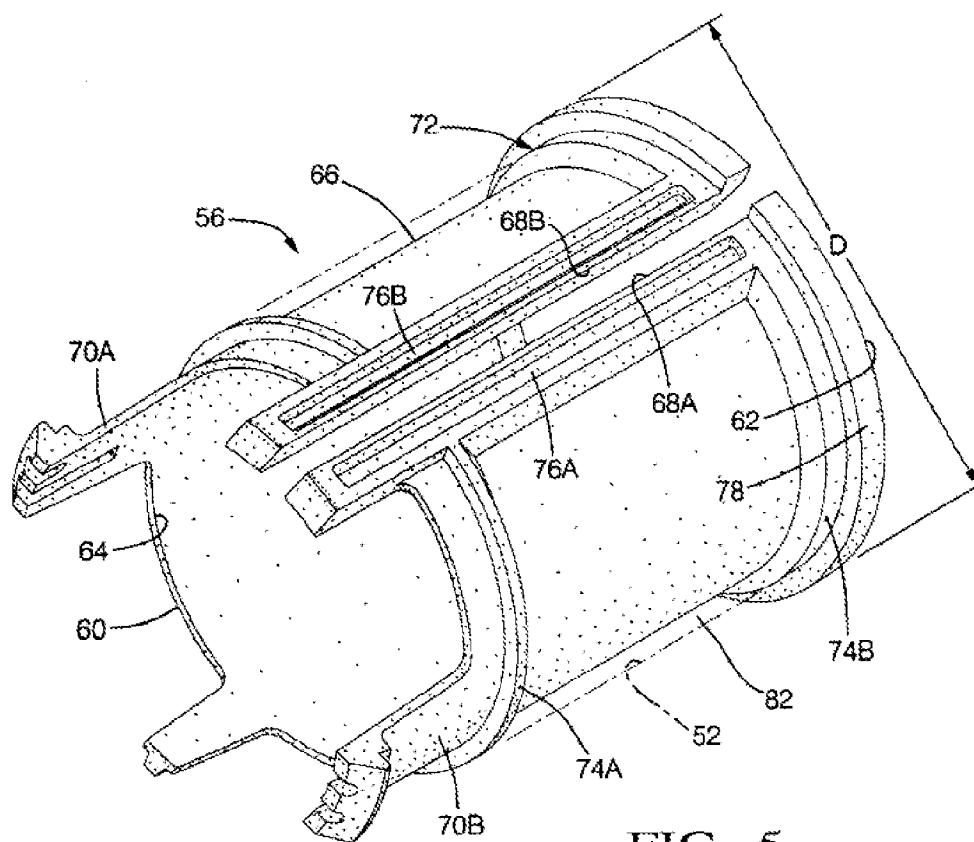


FIG. 5

Burkhard et al. fails to teach a plurality of pocketlike depressions and also fails to specifically teach the location of the reinforcing ribs being between the depressions.

In the case law, *In re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960), it was established that mere duplication of parts has no patentable significance unless a new and unexpected result is produced. Thus, having a plurality of depressions as opposed to one depression does not constitute a patentably distinct idea.

Furthermore, it would have been obvious to one skilled in the art at the time of the invention to include ribs in between the depressions as needed to create a more robust structural material. The location of the ribs disclosed by applicant is not critical as they perform the same function as the ones disclosed in the prior art.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art not relied upon contains more examples of similar devices to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Diaz whose telephone number is (571)270-5461. The examiner can normally be reached on Monday-Thursday 7:30am-6:00pm, Friday's off..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Tarazano can be reached on (571)272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. Lawrence Tarazano/
Supervisory Patent Examiner, Art Unit 4174

Thomas Diaz
Examiner
Art Unit 4171